

## Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 IO-10 ACDA-05 CIAE-00 DODE-00 PM-03

H-01 INR-07 L-02 NSAE-00 NSC-05 PA-01 RSC-01 PRS-01

SP-02 SS-15 USIA-06 CAB-02 COME-00 DOTE-00 EB-07

FAA-00 SAJ-01 /082 W

----- 021040

R 041440Z FEB 75

FM USMISSION USBERLIN

TO AMEMBASSY BONN

INFO SECSTATE WASHDC 437

AMEMBASSY LONDON

AMEMBASSY PARIS

C O N F I D E N T I A L USBERLIN 0203

E.O. 11652: GDS

TAGS: PINT, PGOV, EAIR, WB, FR, UK, US

SUBJECT: AIR NOISE AT TEGEL

REF: USBERLIN A247, DECEMBER 20, 1974

1. SUMMARY: SUCCESSFUL MEETING WITH SENAT REPS JAN 31  
VIRTUALLY WRAPPED UP QUESTION OF MEASURES TO RESTRICT  
AIR NOISE AFTER TEGEL AIRPORT MOVES INTO HIGH GEAR THIS  
SPRING. EMBASSY IS REQUESTED TO SEEK TO REACH AGREEMENT  
URGENTLY WITH BRITISH AND FRENCH ON REMAINING OUTSTANDING  
ISSUE OF WORDING OF PROVISIONS ON NIGHT CURFEW TO PERMIT ALLIES HERE  
TO PRESENT POSITION TO SENAT IN FINAL FORM EARLY  
NEXT WEEK. END SUMMARY.

2. AT MEETING OF DEPUTY POLITICAL ADVISERS WITH HEALTH  
AND ENVIRONMENT SENATOR PAETZOLD AND NUMBER OF SENAT  
EXPERTS ON AIR AND HEALTH MATTERS JAN 31, PAETZOLD SAID  
HE WAS IMPRESSED WITH  
THOROUGHNESS AND SPEED WITH WHICH ALLIES HAD REACTED TO  
SENAT SUGGESTIONS ON REDUCING AIR NOISE PROBLEM AT TEGEL.  
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HE WAS APPRECIATIVE OF ALLIED WILLINGNESS CONSULT IN DETAIL

WITH SENAT ON MATTER OF MUTUAL CONCERN. SUBSEQUENT SENAT PRESS STATEMENT (AGREED UPON AT MEETING) WAS COUCHED IN POSITIVE TONE, ALTHOUGH SENAT SPOKESMAN CORRECTLY REFERRED TO CONFIDENTIAL NATURE OF SENAT ALLIED TALKS IN DECLINING TO GO INTO DETAILS.

3. EXCELLENT PRESENTATION OF BARTCC CHIEF MAJOR NICOLA (USAF) OF PROPOSED FLIGHT PATHS FROM TEGEL WAS WELL RECEIVED BY TECHNICAL UNIVERSITY'S DR. FRICKE AND OTHER EXPERTS DESPITE FACT THAT LITTLE OF FRICKE'S EARLIER SUGGESTIONS PROVED ACCEPTABLE. SENAT SIDE ENDED BY AGREEING THAT THERE WAS NOT REAL ALTERNATIVE TO PATHS CAREFULLY WORKED OUT BY ALLIED EXPERTS AND TESTED BY ALLIED AIRCRAFT. WE UNDERSTAND THAT THE NEW FLIGHT PATHS ARE NOW BEING PREPARED FOR PUBLICATION AND REQUIRED DISSEMINATION.

4. SENATOR PAETZOLD ASKED IF ALLIES COULD NOT RECONSIDER ONE POINT: WHETHER ENGINE TEST RUNS COULD NOT BE LIMITED FROM 10:00 P.M. WITH ALLOWANCE MADE FOR EXCEPTIONS RATHER THAN FROM 11:00 P.M. AS ALLIES PROPOSED. PAETZOLD STRESSED THAT TEST RUNS ARE PARTICULARLY ANNOYING TO LOCAL RESIDENTS. MOREOVER, ALLIED PACKAGE IN WICH CURFEW ON DEPARTURES AND LANDINGS WOULD BE MOVED UP FROM MIDNIGHT TO 11:00 P.M. WHILE RESTRICTION ON ENGINE TEST RUNS WAS SIMILARLY MVED UP ONE HOUR COULD BE PRESENTED ATTRACTIVELY TO POPULATION. WE HAVE URGED BRITISH, WHO ARE ONLY ALLIED MISSION INSISTING ON NEED TO TEST REGULARLY BETWEEN 10:00 P.M. AND 11:00 P., TO REVIEW THEIR POSITION, BEARING IN MIND THAT EXCEPTIONS WOULD BE PERMITTED.

5. OUTSTANDING REMAINING ISSUE IS WORDING OF CURFEW ON NIGHT DEPARTURES AND LANDINGS. BRITISH DEP POLAD (AS CHAIRMAN) OUTLINED ALLIED PROPOSAL, STRESSING THAT ALLIED POSITION WAS NOT YET FINALLY WORKED OUT. OUR UNDERSTANDING IS THAT FRENCH, WHILE PREFERRING TEXT WHICH WOLD PERMIT NO ACTIVITY AFTER MIDNIGHT EXCEPT FOR THELISTED SPECIAL CATEGORIES, ARE WILLING TO ACCEPT SOME PHRASE LIKE "UNDER THE MIST EXCEPTIONAL CIRCUMSTANCES. CONFIDENTIAL

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BRITISH APPARENTLY ARE INSISTING ON REMOVING "MOST" FROM THAT PHRASE. WE URGE THAT EMBASSY SEEK TO PUT END TO THIS HAIR-SPLITTING. IN OUR VIEW, THERE WILL HAVE TO BE OCCASIONAL EXCEPTIONS PERMITTED BY CIVIL AIR ATTACHES (FOOTBALL GAMES, SUDDEN TRIPS OF HIGH OFFICIALS, ETC). AND HOW STRICTLY CIVIL AIR ATTACHES APPLY CURFEW POLICY IS FAR MORE IMPORTANT THATN WHETHER TEXT READS "UNDER MOST EXCEPTIONAL CIRCUMSTANCES" OR JUST "UNDER EXCEPTIONAL

CIRCUMSTANCES".

6. TIMING OF ISSUANCE OF FINAL DOCUMENT IS BECOMING ACUTE PROBLEM AS BRITISH HERE INSIST (WE THINK CORRECTLY) THAT APPEARANCE OF PAPER CLOSE TO MARCH 2 ELECTIONS WOULD RESULT IN ALLIED POSITION ON AIR NOISE BECOMING POLITICAL ISSUE. IF EMBASSY CAN OBTAIN AGREEMENT OF BRITISH AND FRENCH ON CURFEW TEXT IN NEXT FEW DAYS, WE COULD ISSUE DOCUMENT AROUND FEB 10 WHICH WOULD KEEP IT FROM BEING TOO CLOSELY ASSOCIATED WITH ELECTION CAMPAIGN. AIR NOISE IS OF COURSE MAJOR POLITICAL ISSUE IN AFFECTED BOROUGHES AROUND TEGEL AND SENAT IS PRESSING HARD FOR PERMISSION TO BE ABLE TO RESPOND TO VOTERS' QUESTIONS.

7. WITH RESPECT TO FORM OF DOCUMENT, UNDERSTANDING HERE HAS ALWAYS BEEN THAT BK/L IS PROPER. BK/L'S, WHICH ARE BERLIN KOMMANDATURA LETTERS, HAVE BINDING FORCE ON SENAT BUT ARE OFTEN USED SIMPLY TO CONVEY ALLIED VIEWS ON A GIVEN SUBJECT. NO PARTICULAR STYLE IS ATTACHED TO BK/L'S IN CONTRAST TO BK/O'S WHICH GENERALLY ARE COINED IN CONCISE, STATUTORY LANGUAGE AS BEFITS A PUBLIC LAW. TWO PREVIOUS BK/L'S HAVE BEEN ISSUED ON THE SUBJECT OF AIR NOISE (73/35 AND 74/8).GEORGE

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
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